

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
U.S. DISTRICT COURT
NEW MEXICO
JH

UNITED STATES OF AMERICA,

06 JUN 20 AM 9:14

Plaintiff,

CLERK ALBUQUERQUE

VS.

Criminal No. 05 1849 JH

MARY CANANT, ET. AL.,

Defendant.

DEFENDANT MARY CANANT'S
UNOPPOSED MOTION
TO MODIFY CONDITIONS OF RELEASE

The above named defendant, MARY CANANT, through her court appointed counsel, Ann Steinmetz, respectfully requests the Court to modify the conditions of release which were originally set and filed on August 29, 2005, and later modified to remove electronic monitoring by order filed October 19, 2006 to now remove the third party custodian. Pretrial Services Officer Andrew Romero has no objection to the requested modification. Assistant U. S. Attorney James Braun has no objection to the requested modification. A proposed form of order accompanies this motion, and thus no hearing is requested on the request.

The requested modification is to condition #6 which provides for third party custody at the custodian's residence. In support of the motion, it is stated as follows.

1. Since the initial setting of conditions on August 29, 2005, Defendant Canant has complied with all conditions, including counseling, drug testing and obtaining employment. She now has her own apartment, receives disability, but continues to be employed. She is 51 years old has resided in the Albuquerque area since at least 1995, and presently helps take care of her grandchildren. She has no criminal record.

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2. It is counsel's understanding that Defendant Canant has abided by all conditions of release for the past ten months, which can be verified by the Pretrial Services Officer. Necessity for a third party custodian is no longer appears applicable.

Wherefore, it is respectfully requested that the Court enter an order modifying the conditions of release eliminating condition # 6, the third party custodian. A proposed form of Order accompanies this Motion.

Respectfully Submitted,

This will certify that a copy of this Motion was mailed to the office of AUSA James Braun and hand delivered to officer of PTO Andrew Romero this 20th day of June 2006. Because of the nature of this Motion, copies were not served on attorneys for codefendants.

Ann Steinmetz
Ann Steinmetz

Ann Steinmetz
Ann Steinmetz
Appointed Counsel for Mary Canant
Attorney at Law
Post Office Box 4305
Albuquerque, NM 87196
(505) 344-9515